



DIVISION
2007 OCT -9 AM 4:45

DEP 3 REF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Yoad GIDRON et al

Serial No.: 09/987,514

Filed: November 15, 2001

For: SYSTEM AND METHOD FOR
AGGREGATION OF USER
APPLICATIONS FOR ...

Examiner: Gerald Gauthier

Group Art Unit: 2614

Attorney
Docket: 24569

Mall Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND UNDER 37 CFR 1.26

Sir:

During the course of prosecuting the above-identified application, Applicant filed a Request for Continued Examination (RCE) on October 17, 2005.

Through inadvertent mistake, Applicant erred in calculating the fees required when filing an RCE, and authorized excess filing fee payments based on the total number of claims then pending in the application, as well as the \$395.00 RCE fee, even though no additional claims were introduced at the time of filing of the RCE's.

These authorized charges were then debited from Applicant's Deposit Account 501407. It is requested that these excess charges, made by mistake, be refunded to Applicants Deposit Account 501407.

The details of the errors are as follows:

Applicant authorized (see attachment) the RCE filing charge of \$ 395, as well as \$ 125 for 5 additional claims over 20, and \$100 for one additional independent claim over 3, even though the above claims had been previously been paid for and no new claims were introduced with the filing of the RCE. These charges were debited on October 18,

2005 from Applicants Deposit Account 501407, and are highlighted in the attached October 2005 Deposit Account Statement. The charges for the excess claims fees (Fee Codes 2201 and 2202) were ~~not~~ required and paid by mistake.

A refund of \$ 225 is deemed to be in order.

Applicant only became aware of the error in calculating RCE filing charges recently.

Applicant has not previously asked for a refund of these charges made in error.

Applicant has not been refunded the excess charges requested herein.

This request for refund is being made within two years of the charge against the Deposit Account.

This request for refund is clearly one that was paid by mistake, and in excess of that required and is contemplated by 37 CFR 1.26.

Favorable consideration of this Refund request is earnestly solicited.

Respectfully submitted,



Martin Moynihan,
Registration No. 40,338

Date: October 1, 2007



RCE
JFW

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1989 (AIPA).	Application Number	09/987,514
	Filing Date	15 November 2001
	Examiner Name	Gauthier, Gerald
	First Named Inventor	Yoad GIDRON et al
	Group Art Unit	2645
	Attorney Docket Number	24569

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**
 - a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☒ Other Two (2) Month Extension fee
 - v. ☐ Other
2. **Miscellaneous**
 - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for
a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
 - b. ☐ Other _____
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

			SMALL ENTITY RATE FEE		OTHER THAN A SMALL ENTITY RATE FEE	
Request for Continued Examination (RCE)			1	\$ 395		\$ 790
Multiple Dependent Claims			0 x \$ 180	\$ 0	x \$ 360	\$
Total Claims	25 - 20 =	5	5 x \$ 25	\$ 125	x \$ 50	\$
Independent Claims*	4 - 3 =	1	1 x \$ 100	\$ 100	x \$ 200	\$
			TOTAL	\$620	TOTAL	\$

☒ The Commissioner is hereby authorized to charge \$620.- filing fees to Deposit Account No. 50-1407. In the event additional fees are required, please charge these additional fees to Deposit Account No. 50-1407. In the event of overpayment, please credit Deposit Account No. 50-1407.

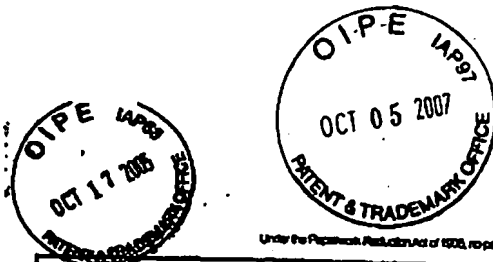
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Martin Moynihan	Registration No. (Attorney/Agent)	40,338
Signature	<i>Martin Moynihan</i>	Date	October 9, 2005

10/18/2005 SZEWDIE1 00000100 501407 09987514

01 FC:2801 395.00 DA
02 FC:2201 100.00 DA
03 FC:2202 125.00 DA

Adjustment date: 10/23/2007 NGERREH1
10/18/2005 SZEWDIE1 00000100 501407 09987514
02 FC:2201 100.00 CR
03 FC:2202 125.00 CR



Approved for use through 10/31/2002. ONS 5051-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Patent Protection Act of 1980, responses are required to be filed in accordance with the established RCE practice.

RCE
JW

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	08/887,514
Filing Date	16 November 2001
Examiner Name	Gauthier, Gerald
First Named Inventor	Yoad GIDRON et al
Group Art Unit	2645
Attorney Docket Number	24569

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(Any unentered amendment(s) referred to above will be entered).
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- v. ☐ Other

2. Miscellaneous

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- b. ☐ Other _____

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			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
			RATE	FEE	RATE	FEE
Request for Continued Examination (RCE)			1	\$ 395		\$ 790
Multiple Dependent Claims			0 x \$ 180	\$ 0	x \$ 360	\$
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TOTAL			\$620.		TOTAL	

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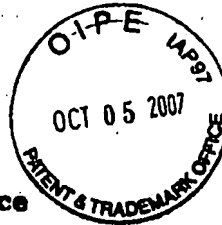
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Martin Moynihan	Registration No.	40,338
Signature	<i>Martin Moynihan</i>	(Attorney/Agent)	
		Date	October 9, 2005

10/18/2005 SZENDIE1 00000100 501407 09387514

01 FC:2B01 395.00 DA
02 FC:2B01 100.00 DA
03 FC:2B02 125.00 DA



United States
Patent and
Trademark Office

**Deposit Account Statement**

Requested Statement Month:

October 2005 ←

Deposit Account Number:

501407

Name:

G E EHRLICH (1985) LTD.

Attention:

A J CASTORINA

Street Address 1:

2001 JEFFERSON DAVIS HIGHWAY

Street Address 2:

SUITE 207

City:

ARLINGTON

State:

VA

Zip:

22202

Country:

UNITED STATES

See
next
page

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
10/03	92	60580705	28203	8021	\$40.00	\$57,033.00
10/03	167	11153403	29483	8021	\$40.00	\$58,993.00
10/03	184	11130208	29308	8021	\$40.00	\$58,953.00
10/03	28	11125283	29410	1051	\$130.00	\$58,823.00
10/03	417	11153402	29452	8021	\$40.00	\$58,783.00
10/03	147	8348583		1551	\$900.00	\$55,883.00
10/03	148	8348583		1554	\$130.00	\$55,753.00
10/03	149	8391838		2551	\$450.00	\$55,303.00
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10/04	58	80721881	30737	2005	\$100.00	\$55,103.00
10/04	59	80721881	30737	2085	\$250.00	\$54,853.00
10/04	78	80721078	30511	8021	\$40.00	\$54,813.00
10/04	14	10891750	27339	2251	\$60.00	\$54,753.00
10/04	567	10542387	30252	2483	\$750.00	\$54,003.00
10/04	558	10542386	30241	2453	\$750.00	\$53,253.00
10/04	559	10542552	28811	2453	\$750.00	\$52,503.00
10/04	580	10542591	30070	2483	\$750.00	\$51,753.00
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10/05	13	11240558	30119	2111	\$250.00	\$51,353.00
10/05	18	11240558	30119	2202	\$1,350.00	\$50,003.00
10/05	15	11240558	30119	2201	\$800.00	\$49,203.00
10/05	14	11240558	30119	2311	\$100.00	\$49,103.00
10/05	74	29239587	30608	2012	\$100.00	\$49,003.00
10/05	75	29239587	30608	2112	\$50.00	\$48,953.00
10/05	76	29239587	30608	2312	\$65.00	\$48,888.00
10/05	118	29239554	30607	2012	\$100.00	\$48,788.00
10/05	119	29239554	30607	2112	\$50.00	\$48,738.00
10/05	120	29239554	30607	2312	\$65.00	\$48,673.00
10/05	121	29239553	30608	2012	\$100.00	\$48,573.00

Deposit Account Statement

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10/13 297	11246271	30481	1311	\$200.00	\$18,978.00
10/13 298	11246271	30481	1202	\$50.00	\$18,928.00
10/13 1	10433822	28292	2201	\$200.00	\$18,728.00
10/13 230	11008111	28473(30476)	8007	\$20.00	\$18,708.00
10/13 138	PAYMENT		9203	-\$50,000.00	\$68,708.00
10/14 1	10542552	28811	2831	\$150.00	\$68,558.00
10/14 2	10542552	28811	2832	\$250.00	\$68,308.00
10/14 3	10542552	28811	2833	\$100.00	\$68,208.00
10/14 16	10163993	02/23884	1253	\$510.00	\$67,698.00
10/14 260	10552287	30227	2831	\$150.00	\$67,548.00
10/14 261	10552287	30227	2832	\$250.00	\$67,298.00
10/14 262	10552287	30227	2833	\$100.00	\$67,198.00
10/14 263	10552287	30227	2881	\$250.00	\$68,948.00
10/14 264	10552287	30227	2815	\$425.00	\$68,523.00
10/14 265	10552287	30227	2814	\$400.00	\$68,123.00
10/17 1	10542387	30252	2831	\$150.00	\$68,973.00
10/17 2	10542387	30252	2841	\$50.00	\$68,923.00
10/17 3	10542387	30252	2833	\$100.00	\$68,823.00
10/17 4	10542387	30252	2814	\$100.00	\$68,723.00
10/17 5	10542387	30252	2815	\$75.00	\$68,648.00
10/17 538	PCT//L04/00181	27558	1604	\$1,000.00	\$64,648.00
10/17 141	11246271	30481	8021	\$40.00	\$64,608.00
10/18 136	60726157	30793	2005	\$100.00	\$64,508.00
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10/18 186	60622910	28837(30771)	8007	\$20.00	\$64,468.00
10/18 182	60628145	28940(30774)	8007	\$20.00	\$64,448.00
10/18 185	60628189	28939(30774)	8007	\$20.00	\$64,428.00
10/18 198	60628529	28941(30774)	8007	\$20.00	\$64,408.00
10/18 201	60628166	28948(30774)	8007	\$20.00	\$64,388.00
10/18 204	60635937	29019(30786)	8007	\$20.00	\$64,368.00
10/18 172	10607103	25821(27480)	1251	\$120.00	\$64,248.00
10/18 173	11186739	30301	2051	\$65.00	\$64,183.00
10/18 174	11185898	30305	2051	\$65.00	\$64,118.00
10/18 175	10247488	24138-Y	2251	\$80.00	\$64,038.00
10/18 192	09987514	M09/4	2801	\$385.00	\$63,653.00
10/18 193	09987514	M09/4	2201	\$100.00 ✓	\$63,553.00
10/18 194	09987514	M09/4	2202	\$125.00 ✓	\$63,428.00
10/18 195	09987514	M09/4	2252	\$225.00	\$63,203.00
10/18 103	60726818	30810	1005	\$200.00	\$63,003.00
10/19 59	10859154	28042	1601	\$1,400.00	\$61,603.00
10/19 60	10859154	28042	1604	\$300.00	\$61,303.00
10/19 89	11250471	30316	2011	\$150.00	\$61,153.00
10/19 90	11250471	30316	2111	\$250.00	\$60,903.00
10/19 91	11250471	30316	2311	\$100.00	\$60,803.00
10/19 92	11250471	30316	2202	\$150.00	\$60,653.00
10/19 93	11250471	30316	2201	\$100.00	\$60,553.00
10/19 94	11250472	28470	2011	\$150.00	\$60,403.00
10/19 95	11250472	28470	2111	\$250.00	\$60,153.00
10/19 96	11250472	28470	2311	\$100.00	\$60,053.00
10/20 220	10802648	26359	2501	\$700.00	\$59,353.00
10/20 221	10802648	26359	1604	\$300.00	\$59,053.00